

DEC 02 2024

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PER

 DEPUTY CLERKImhotep Abdullah MuhammadJoseph PayneDevante Betts

(Enter above the full name of plaintiff in this action)

CIVIL CASE NO: 1:24-cv-2077 -DFB

(to be supplied by Clerk of the District Court)

v.

Lionel pierreRoger LucasLatonya S RayBruce Levalle

(Enter above the full name of the defendant(s) in this action)

COMPLAINT

1. The plaintiff Imhotep Muhammad a citizen of the County of Dauphin State of Pennsylvania, residing at 2140 N 7th st Harrisburg, PA. wishes to file a complaint under Class Action 1983, unlawful prison conditions. (give Title No. etc.)

2. The defendant is Lionel pierre, Roger Lucas, Latonya S. Ray, Bruce Levalle

3. STATEMENT OF CLAIM: (State below the facts of your case. If you have paper exhibits that give further information of your case, attach them to this completed form. Use as much space as you need. Attach extra sheet(s) if necessary) please see class action

Attachment packet.

3. (CONTINUED) This lawsuit is regarding, Heavy dust & mold, inadequate ventilation, inadequate medical, uncooked food, deprivation of out door rec, excessive lockdown.

Please see Attachment, that explains everything in more detail and is formatted.

4. WHEREFORE, plaintiff prays that This lawsuit ~~is~~ is granted along with plaintiff motions, in order for plaintiff's to receive justice for the illegal practice, policy, & customs at (DCP) subjected inmates to inhumane and dirty living conditions.


(Signature of Plaintiff)

2140 N 7th street
Harrisburg 17110

Imhotep Muhammad
(Printed Name of Plaintiff)

(Address of Plaintiff)
717-562-6375
(Phone Number of Plaintiff)

Class Action Complaint

1. This is an action brought by plaintiff's seeking compensatory damages, punitive damages, declaratory and injunctive relief against the named Defendants for violations of **42 U.S.C. section 1983**, constitutional rights guaranteed under the laws of the United States and for personnel and other injuries in violation of laws of the state of Pennsylvania.
2. This action is brought by the plaintiffs as a class action on their own behalf and on behalf of all others similarly situated, pursuant to the provisions of **Federal Rule of Civil procedure 23 (a), (2), and Federal Rule of Civil Procedure 23(b)(3)**.
3. This action is properly maintained as a class action in those questions of law and fact common to the members, of the class predominate over any questions affecting only individual members, and a class act is superior to other available methods for the fair and efficient or to other available methods for the fair and efficient adjudication of the controversy.

II: Jurisdiction and Venue

4. The action is brought pursuant to **42 U.S.C. section 1983, the First, Fifth, and Fourteenth Amendments to the United States Constitution, and Pursuant to 28 U.S.C. section 1331 and 1343 (a) (1) (2) (3) (4), For convicted inmates 8th Amendment.**
5. All the claims arose within the Jurisdiction of this judicial district and involve Defendants who reside within the Jurisdictional Boundaries. Venue is proper under **28 U.S.C. section 1391 (a) (b) (c).**

United States District Court

Middle District of Pennsylvania

Sylvia H. Rambo U.S. Courthouse 1501 North 6th street, suite 101

Harrisburg, Pa 17102

II: *Parties*

6. **Lead Plaintiff;** Imhotep A. Muhammad is a 35-year-old adult African American Male, who was being held at Dauphin County Prison and was release trial and sentencing. Held 25^{1/2} months.
7. **Second Plaintiff;** Joseph Payne-Casiano, is a 33year old male adult African American Currently being held at Dauphin County Prison 11 months awaiting to be transferred to an upstate facility to be released.
8. **Third Plaintiff;** Devonte Betts, 30 years old male housed at Dauphin County Prison awaiting court. Betts is a federal inmate who has been house at 23 months and counting.
9. **Fourth Plaintiff;** Bryan Mitchell, is a pretrial detainee at Dauphin County Prison awaiting court. Been held 21 months and counting
10. **Fifth plaintiff;** Jerry Foster, is a pretrial detainee awaiting court. Foster has been held 10 months and counting wait to be sentenced.

11. **Sixth plaintiff;** Charles Rankin, pretrial detainee awaiting court and being held at Dauphin County Prison. Rankin has been held at (Dcp), for 7 months and counting.

12. **Seventh Plaintiff;** Raheem Green, pretrial detainee awaiting court and being held at Dauphin County Prison. Green has been held at (DCP), 20 months and counting.

13. **Eighth Plaintiff;** Jermey Cox, pretrial detainee awaiting court and being held at Dauphin County Prison. Cox has been held at (DCP), 7 months and counting.

14. **Ninth Plaintiff;** Joseph Williams, pretrial detainee being held at Dauphin County Prison. William has been held 7 months at (DCP).

15. **Tenth Plaintiff;** Harmoney Nyree Muhammad, young woman aged 24, was briefly held at (DCP). During her time inside the facility, Harmony alleges her

gallbladder has sustained severe damage at a very rapid pace from (DCP) conditions.

16. **Eleventh Plaintiff;** Taji Abdullah, young man who was held at (DCP) for 3 ½ to 4 years and was sent to a state facility after being attack by a (DCP) captain for filing another Lawsuit in a prior time currently active.

17. **Twelfth Plaintiff;** Melvin Thomas, federal inmate held at DCP for 24 months and counting and just recently finished trial and now awaiting sentencing.

18. **Thirteenth Plaintiff;** David Chase, inmate held at DCP for 20 months and counting awaiting trial

19. **Defendant 1;** Chief Deputy Warden Lionel Pierre, second in charge at Dauphin County Prison 501 Mail Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

20. **Defendant 2;** Major Roger Lucas, third in charge at Dauphin County Prison 501

Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

21. **Defendant 3;** Latonya S. Ray, fourth in charge at Dauphin County Prison 501

Mall Road Harrisburg, Pa 17111. This defendant is being sued in her individual and official capacity.

22. **Defendant 4;** Bruce Levalley, fifth in charge at Dauphin County Prison 501 Mall

Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

23. **Defendant 5;** Dauphin County Prison, Dauphin County Prison 501 Mall Road

Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

24. **Defendant 6;** Scott M. Richmond, a captain at Dauphin County Prison 501 Mall

Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

25. **Defendant 7;** Brad Osenga, a captain at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

26. **Defendant 8;** Emanuel Rose, a high rank lieutenant at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

27. **Defendant 9;** Robert Battalia, a senior guard at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

28. **Defendant 10;** Tami Donovan, a senior guard at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

29. **Defendant 11;** William Courtwright, a guard at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

30. **Defendant 12;** Tyra Riehl, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

31. **Defendant 13;** Thomas Weber, CEO of Prime Care, at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

32. **Defendant 14;** Dr. Carl Hoffman of Prime Care at 3940 Locust Lane Harrisburg, Pa 17109. This defendant is being sued in his individual and official capacity.

33. **Defendant 15;** Tykeisha Metz Corporate Medical director of Prime care Prime Care at 3940 Locust Lane Harrisburg, Pa 17109. This defendant is being sued in his individual and official capacity.

34. **Defendant 16;** Prime Care, Prime Care at 3940 Locust Lane Harrisburg, Pa 17109. This defendant is being sued in his individual and official capacity.

35. **Defendant 17;** Reyes Yohanna, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

36. **Defendant 18;** Collet Robertson, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

37. **Defendant 19;** Nashaya Simmons, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

38. **Defendant 20;** Alfred Sloan, a Pastor at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

39. **Defendant 21;** Aaron Ayala, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

40. **Defendant 22;** Sean Carrig, a lieutenant at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

41. **Defendant 23;** Chrisandra Brandt, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

42. **Defendant 24;** Patrick Elliott, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

43. **Defendant 25;** Dustin Emerich, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

44. **Defendant 26;** Brent Fox, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

45. **Defendant 27;** Keith Mohler, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

46. **Defendant 28;** Yona Pollock, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

47. **Defendant 29;** Andrew Klahr, a Captain at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

48. **Defendant 30;** Tyler Hoffman, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

49. **Defendant 31;** James Heckard, a Sergeant at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

50. **Defendant 32;** Cynthia Whiting, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

51. **Defendant 33;** Tasia Kea, a guard at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

52. **Defendant 34;** Adams Raymond, a lieutenant at Dauphin County Prison at Dauphin County Prison 501 Mall Road Harrisburg, Pa 17111. This Defendant is being sued in his individual and official capacity.

III: Statement of Fact

December 8, 2022, around the time of 4:45 am, plaintiff Imhotep Muhammad was subjected to a very serious anxiety attack which cause Imhotep to pass out while standing up and falling flat on his face on the floor of the cell he is being housed in. The result from the fall caused one of Imhotep's front teeth to chip, along with receiving swelling on and around his mouth and around his face.

53. The cause of this incident and injury came from Imhotep's cellmate during this time had a "seizure", and being unable to adequately contact the guard for emergency help being locked in a cage and subjected to witness his cellmate

having a “seizure”. The guard eventually did his round and plaintiff Imhotep informed him of what took place. The guard escorted Imhotep to the medical. While at Medical the guard stationed at medical along with the nurse on site laughed at plaintiff and made jokes about his injuries. The nurse on site gave the plaintiff some saltwater and sent him out to the medical.

54. Upon heading back to the block, Imhotep and the guard who escorted plaintiff Imhotep, along the way back Imhotep and the guard crossed paths with lieutenant “Manny Rose” Lt. Rose was inform of the current events and order the guard to take pictures of plaintiff injuries. After taking the photo, Lt. Rose ordered the ground to put Imhotep in a Bullpen.

55. Lt. Rose than started to interrograte Imhotep and attempted to intimidate Imhotep. Lt. Rose stated to Imhotep that he does not believe the story on how Imhotep got injured. Lt. Rose continued telling Imhotep, that he thinks Imhotep is a liar and his story is “bullshit”, because of being an inmate, blatantly showing his prejudice towards Imhotep.

56. He Further went on say that he thinks Imhotep and his cellmate were fighting.

Rose told Imhotep, he is going to review the cameras and threaten to throw Imhotep in the hole if he sees fighting on camera.

57. Imhotep is Suffering from a fresh head injury while all of this is taking place. Lt.

Rose interrogated Imhotep for 5 to 10 minutes, then left him in the bullpen for 2 hours, while he was investigating the incident.

58. After learning Imhotep was telling the truth about the incident, Lt. Rose orders

the guard to escort Imhotep back to the same cell where the incident took place with the same cellmate. Imhotep's teeth were severely damaged, and face was swollen while blood continued to form in his mouth from the fall.

59. This same day 45 minutes after being placed back in the same cell again,

Imhotep's cellmate (James Brown) had a second seizure, at which point (Dcp) medical staff removed the Plaintiff cellmate out of the cell. Lt. Rose started spreading false rumors claiming that Imhotep and his cellmate were fighting.

12/2/2022, Prison dentist came to verify the damage to Imhotep's teeth and prescribed him amoxicillin to take for 9 days in case of bacteria forming on plaintiff's Imhotep broken teeth. Imhotep was not treated for his swelling, pain, nausea, dizziness or properly checked. Imhotep requested to be seen by medical but received no response or medical treatment.

60. 12/14/2023, Imhotep received Motrin 200 mg's but was still not properly seen by medical upon request. Imhotep inform the nurse's during pill call times, wrote multiple slips to be properly seen and medical still has not seen Imhotep during this time. The dentist at (DCP) called Imhotep to medical before Christmas and shaved a piece of broken tooth off that was connected to another tooth.

61. Imhotep was still not properly seen for his head injury at which point Imhotep believed to be suffering a very bad concussion, going based off his own, pasted experience of suffering concussions before in the past.

62. Imhotep sent in multiple request slips requesting to be seen and was not seen.

In pain and getting upset Imhotep begin seeking to grieve medical. (Dcp) staff made receiving a grievance form very difficult for Imhotep.

63. Jan/6/2023, Imhotep finally received grievances and file several grievance's on

(Dcp) medical and Lt. Rose. Now being grieved, medical then began to take more notice of Imhotep's injuries. After medical then began to take more notice of Imhotep's injuries. After medical finally seen Imhotep, he was dizziness, nausea, vertigo, along with serious mental and emotional anguish.

64. Imhotep asserts the face of the problem which was he would have never got

hurt if was not in cell with an inmate had seizures. The inmate should have been housed on a proper medical block or in an open area where the prison officials and medical staff properly supervise the inmate. If the prison would have done this then the accident may have been avoided.

65. Imhotep is still suffering from concussion to this day. Medical provider Megan

Crook informed Imhotep that he may have permanent vertigo from the fall,

which he still is suffering from vertigo.

66. Dauphin County Prison medical department still denied Imhotep Medical or

delayed care on multiple occasions after January 6, 2023.

67. Imhotep had an x-ray done on his skull. Prime care medical staff claims that

there are no fractures on his skull. Imhotep has not reviewed his X-ray result.

68. Imhotep suffers from multiple mental issues from this incident and the

conditions of the prison. The mental problems consist of depression, PTSD,

memory loss, mental stress, decrease cognitive function, nightmare, paranoia,

mental anguish, mental fatigue, mood swings, feeling of despair, and has taken

30 plus different types of pills for pain and mental damages.

IV: How Imhotep was and still is affected by these conditions.

69. These are personal issues I have been going through and have gone through.

These injuries and issues may apply to other inmates in full or even worse or less bad. Realistically it will vary from inmate to inmate, the damage they have sustained during their stay at Dauphin County prison.

70. Increase and very anxiety, the conditions cause people to pass out, PTSD, memory loss, severe headaches, nose bleeds, bunk bed cuts off blood circulation in the arms of inmates who sleep on said bunks. Mental stress, depression, decrease cognitive functions, nightmare's, paranoia, mood swings, trouble sleeping, mental deterioration, feeling of despair, mental anguish, emotional and physical anguish, mental and physical fatigue, exposure to secondhand smoke, fluctuating liver and kidney function and levels and pain around the hearts of inmates.

71. Stomach pain and constipation from the food. Blood in stool, spitting up blood, fungal growth on the body, rashes that itch excessively, sickness from drinking the ware, runny stool, dizziness deteriorating teeth, skin health deteriorating from being deprived of fresh air and sunlight, vitamin D, calciferol cholecalciferol deficiency.

72. Again, people experience less or far worse than the effects mentioned above.

However, I would like to gage this in a middle range slightly yet excessively leaning more towards the worsen aspect of what did and could happen during the duration of people stay at DCP. Regardless, people should not be subjected to such treatment and conditions.

III: Conditions At Dauphin County Prison

73. Lack of adequate ventilation, Excessive lock downs, being locked in a cell 22 & 2 or 23 & 1, (Prolonged Isolation), No outdoor recreation, only 45 Minutes of Indoor rec and it's rarely. Title 37 requires inmates to have at least two hours Minimum, Dauphin County prison provides under the state law requirement,

74. Heavy dust, black mold, spider webs, and fungus growth, on floor walls, windowsill, shower, and in ventilation system. Polluted water, comes out brown or yellow with smell of human waste.

75. Eating three meals a day in a cell near the toilet. Heavy smoking and Drug activity, exposure to other inmate's waste, in shower or when they flush their human waste, it will appear in my toilet. Inadequate food, uncooked meals, moldy bread and biscuits, uncooked meats, cakes, veggies, cornbread, inadequate portions.

76. Old Rusty bunkbeds and old worn-down matts, racism, inadequate religious serves. Inmates Beat on, suffocated, harassed, killed, threaten, provide by guards. Broken, confusing, deceiving, bias, misguiding, contradicting grievance procedure and bias staff.

77. Pest infestation, mice, huge cockroaches, silverfish, spiders, water bugs. Inadequate medical and dental care, emergency means of contact is inadequate, inadequate, maintenance, phone system

VII: Claims for Relief

Count 1: violation of 42 U.S.C. section 1983;

(Inadequate ventilation and air flow)

Fifth 5th, Eighth, 8th and Fourteenth 14th

78. The vents at (**DCP**) are covered with dust and black mold in and inside. The Lack of sanitation violates **plaintiff 1 (Imhotep Muhammad)** rights because it undermines the health of inmates and prison sanitation.
79. The fumes of Feces, Urine, Dead pest, and stale bodily odors from other inmates. **Plaintiff 1 (Imhotep Muhammad)** experienced random nose bleeds, Sinus headaches, Nausea.
80. The Air is stagnant and Humid, near the showers creating fungal growth on my cell floor, floor and walls in the showers are covered with Black mold. **Plaintiff 1 (Imhotep Muhammad)** had fungus growth on his back, one at the end of march, and another July 19, 2024. See: (**Keenan v Hall, 83 f.3d 1083**), (**Hoptowit v. Spellman, 753 f.2d 779**), (**Ramos v Lamm, 639 f.2d 559**), (**Tiller v Owens 719 F. supp. 1256**).

81. **Defendants #:** **Lionel Pierre, Major Roger Lucas, Latonya S. Ray, Bruce Levalley, Scott M. Richmond, Brad Osenga, Emanuel Rose, Keith Mohler, Adams Raymond, James Heckard,** Undermine the sanitation of the prison vents which in turn undermines plaintiff Health. **Defendant's #:** **Lionel Pierre, Major Roger Lucas, Latonya S. Ray, Bruce Levalley, Scott M. Richmond, Brad Osenga, Emanuel Rose, Keith Mohler, Adams Raymond, James Heckard** along with the Entire captain and lieutenant division at (DCP) intentionally, willfully, maliciously allow the prison vent's to be the way they are and they omit to act with callous disregard and deliberate indifference to the **Fifth(5th) *Eighth (8th) and Fourteenth(14th) amendments of plaintiff # 1 (Imhotep Muhammad)**, and as a direct and proximate result of the acts and omissions of the defendants, **plaintiff # 1 (Imhotep)** rights have been violated.

82. **Plaintiff # 1(Imhotep) right under the Fifth(5th) *Eighth (8th) and Fourteenth (14th) amendment of the United States Constitution were violated and Plaintiff # 1 (Imhotep), is deprived of a basic necessity by practice, policy, and**

customs which cause **Plaintiff # 1 (Imhotep)** suffering and continues to suffer great pain, including emotional, mental, and, physical lose for 25 ½ months.

Count 2: violation of 42 U.S.C. section 1983;

(Pest Infestation)

Fifth 5th, Eighth, 8th and Fourteenth 14th

83. Dauphin County Prison (**DCP**) has a serious pest problem that **Plaintiff # 1 (Imhotep)** has been subjected to exposure to said pest living with the inmates inside the facility. For 25 ½ Months, **Plaintiff # 1(Imhotep)** has been exposed to Mice, large Cock Flying Roaches, water bugs, spiders and silverfish.

84. The mice run inside **Plaintiff #1 (Imhotep)** cell to eat food or fight each other. The mice would leave droppings on the floor inside the cells, and tiers. **Plaintiff # 1 (Imhotep)** cell floor and some droppings were found on **Plaintiff # 1**

(Imhotep) bed covers. Mice would hide in Plaintiff # 1 (Imhotep) trash can.

Mice carry diseases and bacteria that could be harmful to Plaintiff # 1 (Imhotep).

85. Massive aggressive flying cock roaches are found in and around Plaintiff # 1(Imhotep) cell and on the block. Water bugs are found near or on Plaintiff # 1(Imhotep) toilet or shower area. Spiders are on walls and windowsills. Silverfish are Found on Plaintiff # 1(Imhotep) cell floor or around the bunkbed. These bugs are very tiny and could crawl inside one of the inmate's ears and cause serious harm. (Gaston v. couglin,249 F.3d 156), (Gates v. Cook 376 F.3d, 323).

86. Defendant's #: Lionel Pierre, Major Roger Lucas, Latonya S. Ray, Bruce Levalley, Scott M. Richmond, Brad Osenga, Emanuel Rose, Keith Mohler, Adams Raymond, James Heckard; along with the entire Captain and Lieutenant division at (DCP) undermines this issue and has for the 2 years (Imhotep) was being held at (DCP) and counting. Defendants would have pest control spray only in areas visitors are allowed or in their own work space and

rarely on the Block. **Plaintiff # 1(Imhotep)**, alleges pest control only sprayed the block two (2) times during his 25 ½ month at (Dcp). **Plaintiff # 1(Imhotep)**, filed a grievance on the issue. Upon (DCP) officials receiving the complaint they than had the block sprayed on two (2) times with about 9 to 11 months gap in between. Mice and Insects still infest the block.

87. **Defendant's #:** **Lionel Pierre, Major Roger Lucas, Latonya S. Ray, Bruce Levalley, Scott M. Richmond, Brad Osenga, Emanuel Rose, Keith Mohler, Adams Raymond, James Heckard**, intentionally, willfully, maliciously, recklessly, allows theses pest to live amongst the Inmates. Continue running and infest the block and prison in general since **Plaintiff # 1(Imhotep)** has been at for 25 ½ months.

88. The Officials omit to act with callous disregard and deliberate indifference to the **Fifth(5th) *Eighth (8th) and Fourteenth (14th) amendments of plaintiff # 1 (Imhotep Muhammad)** and as a direct and proximate result of the acts and omissions of the defendants, **plaintiff # 1 (Imhotep)** rights have been violated. **Plaintiff # 1(Imhotep)** right under the **Fifth(5th) *Eighth (8th) and Fourteenth (14th) amendment of the United States Constitution** were violated and **Plaintiff #**

1 (Imhotep) is deprived of a basic necessity by practice, policy, and customs which cause **Plaintiff # 1 (Imhotep)** suffering and continues to suffer great pain, including emotional, mental, and, physical lose for 25 ½ months.

Count 3: violation of 42 U.S.C. section 1983;

(Prolonged isolation,22 or 23 hours of cell confinement.)

Fifth 5th, Eighth, 8th and Fourteenth 14th

89. Dauphin County Prison (**DCP**) has practices, policies, and customs to confine inmates like **Plaintiff # 1 (Imhotep)** to a very strict cell confinement. In the years of 2022 and 2023, this practice, policies, and customs of (**DCP**) would only allow 1 hour of out of cell times 3 to 5 times a month. Most of the Month's **Plaintiff # 1 (Imhotep)** would be in a cell for 23 hours and 45 minutes a day, only allowing 10 to 15 minutes showers.

90. Intentionally, willfully, maliciously, recklessly, and intentional acts and continues to omit to this act with callous disregard and deliberate indifference since **Plaintiff # 1(Imhotep)** has been at for 25 ½ months. The Officials omit to act with callous disregard and deliberate indifference to **the Fifth(5th) Eighth (8th) and Fourteenth (14th) amendments of plaintiff # 1(Imhotep)** and as a direct and proximate result of the acts and omissions of the defendant's **plaintiff # 1(Imhotep)** rights have been violated. (Remick v. City of Phil 2022 U.S. Dist. Lexis. 43339, (Jordan v Fitzharris, 257 F. Supp. 674), (Holt v. Sarver, 309 F. Supp. 362), (Wilkinson v Austin, 545 U.S. 209), (Sand v conner, 515 U.S. 472).

91. This practice, policy, customs by defendant's is a major contributing factor of cause to **plaintiff # 1(Imhotep)** Physical and mental suffering. Sitting in cage for long for long hours with whited painted walls, pest, dust, feces exposure, and lack of adequate ventilation, severely damaged **plaintiff # 1(Imhotep)** mental.

92. **Plaintiff # 1(Imhotep)**, right under the **Fifth(5th) *Eighth (8th) and Fourteenth (14th) amendment of the United States Constitution** were violated and

Plaintiff # 1 (Imhotep), is deprived of a basic necessity by practice, policy, and customs which cause **Plaintiff # 1 (Imhotep)** suffering and continues to suffer great pain, including emotional, mental, and, physical lose for 25 ½ months.

93. This Practice, policy, and custom has been in effect since plaintiff arrived at **(DCP)** back in October, 2022. The cells would get very dusty daily **plaintiff # 1(Imhotep)** had to sit, eat, and sleep in in a dusty cell. August, 2023 **plaintiff # 1(Imhotep)** put together a petition in to receive more out of cell time. Dauphin County officials than only increased the out of cell time to two (2) hours, but will still have **plaintiff # 1(Imhotep)** confine to a cell for 22 hours a day.

94. January, 2024 **(DCP)** officials went back to 1 hour a day or only 10 to 15 minutes to shower. In march **plaintiff # 1(Imhotep)** exposed the fact that **(DCP)** has been violating title 37 of the out of cell time back to two (2) hours and rarely give **plaintiff # 1(Imhotep)** actual indoor recreation.

Now throughout the course of the year in 2024, the out of cell time fluctuates between 10 to 15 minutes to two (2) hours.

95. **All defendants** along with the entire captain and lieutenant division, and the entire correctional officers, enforce, promote, allows, this practice, policy, and custom, which has been developed by defendants.

Count 4: violation of 42 U.S.C. section 1983;

(Deprivation of Outdoor recreation)

Fifth 5th, Eighth, 8th and Fourteenth 14th

96. Since **plaintiff # 1(Imhotep)** has been at Dauphin County Prison, he has been deprived of outdoor exercise or experiences for 25 months. September 2nd, 2024; **plaintiff # 1(Imhotep)** had 45 minutes of outdoor experience only because of the holiday “Labor Day”. **(DCP)** went back to the practice, policy, and custom, of depriving **plaintiff # 1(Imhotep)** of outdoor experience.

Outdoor exercise is extremely important to **plaintiff # 1(Imhotep)** physical and

psychological wellbeing, in which is and has been damage from being deprived of sunlight and Fresh air.

97. **plaintiff # 1(Imhotep)**, has had severe lack of vitamin D, Vitamin D3, for 25 ½ month's (**Toussant v. Yockey, 722 F.2d 1490**), "upholding preliminary injunction requires outdoor exercise". (**Allen v. Sakai, 48 F.3d 1082**). "No qualified Immunity to outdoor exercise claims."

98. **All defendants** along with the entire captain and Lieutenant division, and the entire correctional officer roster, enforce, promotes, allows this practice, policy, and custom, which has been developed by defendants.

99. Dauphin County Prison officials had the local news tell a deceiving story about the prison giving inmates "2 hours" of recreation outdoors a day. This was a big fallacy. Inmates rarely receive indoor recreation, and it's only 45 minutes. **All defendants** intentionally, willfully, maliciously, Recklessly, and intentional acts and continue to omit to this act with callous disregard and deliberate indifferences to the 5th and 14th amendments of **plaintiff # 1(Imhotep)** as a

direct and proximate result of the acts and omissions of the defendants, the **plaintiff # 1(Imhotep)** rights have been violated.

100. This practice, policy, customs by Defendants is a major contributing factor of cause to **plaintiff # 1(Imhotep)** physical and mental suffering.

101. **plaintiff # 1(Imhotep)** right under the **Fifth(5th) *Eighth (8th)** and **Fourteenth (14th)** amendments **United States Constitution** are violated and deprived **plaintiff # 1(Imhotep)** of basic human necessity by this practice, policy, and custom which cause **plaintiff # 1(Imhotep)** suffering and continues to suffer great pain, including emotional, mental, and physical lose for 25 1/2 months.

Count 5: violation of 42 U.S.C. section 1983;

(Unsanitary Conditions)

Fifth 5th, Eighth, 8th and Fourteenth 14th

102. Dauphin County Prison (**DCP**) is filthy, with heavy dust on walls, floor, ceiling, in the cells, tier, and in showers. (**DCP**) officials would only paint over the dust and mold on the blocks. Black mold is in the vents, showers on the walls and vents. Spider webs on windowsill and ceiling. Mice droppings are on the block everywhere including **plaintiff # 1(Imhotep)** cell.

103. Vermin infestation is a health hazard in (**DCP**) and is exacerbated since **plaintiff # 1(Imhotep)** has been here. They're fungus growth in the showers. **plaintiff # 1(Imhotep)** had fungal growth on his back. Carcass of vermin laying around.

104. All Defendant's along with the entire captain and lieutenant division, and the entire correctional officer roster, enforce, promotes, allows, intentionally, willfully, maliciously, recklessly, and intentional acts of subjecting **plaintiff # 1(Imhotep)** to a very unclean environment and continue to omit to this act with callous disregard and deliberate indifferences to the **Fifth(5th) *Eighth(8th) and Fourteenth (14th) amendment** of **plaintiff # 1(Imhotep)** and as a

direct and proximate result of the acts and omissions of the Defendants, the **plaintiff # 1(Imhotep)** rights have been violated.

105. **plaintiff # 1(Imhotep), rights under Fifth(5th) *Eighth (8th) and Fourteenth (14th) amendment of th United states constitution are violated** and deprived **plaintiff # 1(Imhotep)**, of basic human necessity “sanitation environment” by this practice, policy, and custom which cause **plaintiff # 1(Imhotep)**, suffering and continues to suffer great pain, including emotional, mental, and physical lose 25 ½ months. (**Ramos v. Lamm, 639 F.2d 559**).

Count 6: violation of 42 U.S.C. section 1983;

(Polluted water, yellowish and brown, drinking water.)

Fifth 5th, Eighth, 8th and Fourteenth 14th

106. Dauphin County Prison water frequently comes out of the sink yellowish or brown. “The prison officials do not provide bottles of water when this occurs.

107. Around 4:30 am 12/23/2022, **plaintiff # 1(Imhotep)**, fell very ill from consuming the water at **(DCP)**. The symptoms consisted of stomach pains, runny stool, fever, vomiting, back pains, dizziness, nausea, loss of appetite, chills, body aches.

108. The water occasionally smells like human waste, type of odor. The water has changed these colors with a waste odor since **plaintiff # 1(Imhotep)**, first came to this prison.

109. May 15th and 16th 2024, the water was yellow. Many inmates fell ill including **plaintiff # 1(Imhotep)** due to dirty drinking water. Polluted water is not frivolous. The staff bring in their own water to drink. (**Jackson v. Duckworth, 955 F.2d 21**), (**Keenan v hall, 83 F.3d 1083**).

110. **Defendant's #:** Lionel Pierre, Major Roger Lucas, Latonya S. Ray, Bruce Levalley, Scott M. Richmond, Brad Osenga, Emanuel Rose, Keith

Mohler, Adams Raymond, James Heckard, intentionally, willfully, maliciously, recklessly, and intentional acts of subjecting plaintiff # 1(Imhotep) to a very unclean environment and continue to omit to this act with callous disregard and deliberate indifferences to the Fifth(5th) *Eighth (8th) and Fourteenth (14th) amendment of plaintiff # 1(Imhotep), and as a direct and proximate result of the acts and omissions of the Defendants, the plaintiff # 1(Imhotep) rights have been violated.

111. **Plaintiff # 1(Imhotep) rights under Fifth (5th) *Eighth (8th) and Fourteenth (14th) amendment of th United states constitution are violated and deprived plaintiff # 1(Imhotep) of basic human necessity this practice, policy, and custom which cause plaintiff # 1(Imhotep) suffering and continues to suffer great pain, including emotional, mental, and physical lose 25 ½ months. (Ramos v. Lamm, 639 F.2d 559).**

Count 7: violation of 42 U.S.C. section 1983;

(Inadequate Food)

Fifth 5th, Eighth, 8th and Fourteenth 14th

112. Adequate food is a basic human need protected by the **Eighth, 8th and Fourteenth 14th amendment**. The food need not be tasty or aesthetically pleasing, it must be adequate to maintain health. (**Hoptowit v. Ray, 682 F.2d 1237**).

113. Dauphin County Prison (**DCP**) serves uncooked or raw food. The food ranges from biscuits, cakes, meats, veggies, and are served uncooked or raw. The prison serves spoiled meals, old food, moldy bread, biscuits, uncooked eggs, hair in the food. These things are inadequate to maintain health. (**Keenan v Hall, 83 F.3d 1083**).

114. The food is tampered with, mice and roaches get into the food and **(DCP)** will still serve it to the inmates. **Plaintiff # 1(Imhotep)** has been subject to poor food since arriving at **(DCP)**.

115. **Defendant's #:** **Lionel Pierre, Major Roger Lucas, Latonya S. Ray, Bruce Levalley, Scott M. Richmond, Brad Osenga, Emanuel Rose, Keith Mohler, Adams Raymond, James Heckard** intentionally, willfully, maliciously, recklessly, and intentional acts of subjecting **plaintiff # 1(Imhotep)** to a very unclean environment and continue to omit to this act with callous disregard and deliberate indifferences to **the Fifth(5th) *Eighth (8th) and Fourteenth (14th) amendment of plaintiff # 1(Imhotep)**, and as a direct and proximate result of the acts and omissions of the Defendants, the **plaintiff # 1(Imhotep)** rights have been violated.

116. **Plaintiff # 1(Imhotep) rights under Fifth (5th) *Eighth (8th) and Fourteenth (14th) amendment of th United states constitution** are violated and deprived **plaintiff # 1(Imhotep)** of basic human necessity this practice, policy, and

custom which cause plaintiff # 1(Imhotep) suffering and continues to suffer great pain, including emotional, mental, and physical lose for 25^{1/2} months.

Count 8: violation of 42 U.S.C. section 1983;

(Exposure to human waste and Flooring, sewage, Plumbing)

"Fifth 5th, Eighth, 8th and Fourteenth 14th Amendments"

117. The toilet system is shared at (DCP). Plaintiff # 1(Imhotep) has been exposed to human waste since being housed at the prison. Plaintiff # 1 (Imhotep) showed this issue to prison society how he is being exposed to human waste daily.

118. When other inmates in another cell use the bathroom & flush the toilet, that inmate's feces appear in Plaintiff # 1(Imhotep) toilet. (**Despain v Uphoff, 264 F.3d 965**).

119. The toilet will fill up with other inmate's feces roughly 5 to 7 times a day, every day. September 7, 2023, Plaintiff # 1(Imhotep) toilet flooded and spill feces all over the cell floor. Plaintiff # 1(Imhotep) has been exposed to feces in the shower as well, on the floor or walls and on the shower bench.

120. **Defendant's #: Lionel Pierre, Major Roger Lucas, Latonya S. Ray, Bruce Levalley, Scott M. Richmond, Brad Osenga, Emanuel Rose, Keith Mohler, Adams Raymond, James Heckard; Allows. Plaintiff # 1(Imhotep), to be exposed to waste and sewage intentionally, , willfully, maliciously, recklessly, and intentional acts of subjecting plaintiff # 1(Imhotep) to a very unclean environment and continue to omit to this act with callous disregard and deliberate indifferences to the Fifth(5th) *Eighth (8th) and Fourteenth (14th) amendment of plaintiff # 1(Imhotep) and as a direct and proximate result of the acts and omissions of the Defendants, the plaintiff # 1(Imhotep) rights have been violated. (McCord v Maggio, 927 F.2d 844).**

121. Plaintiff # 1(Imhotep) rights under **Fifth (5th) *Eighth (8th) and Fourteenth (14th) amendment of th United states constitution** are violated and deprived plaintiff #1(Imhotep) of basic human necessity this practice, policy, and custom which cause plaintiff # 1(Imhotep) suffering and continues to suffer great pain, including emotional mental, and physical lose for 25^{1/2}months.
Plaintiff # 1(Imhotep) has to eat 3 meals a day near a toilet. Dauphin County Prison Maintenance came and snaked the toilet and removed trash that was flushed over time.

122. Waste still appears in the toilet. It took 25^{1/2} months for maintenance to do anything to solve the issue. Plaintiff # 1(Imhotep) was exposed to sewage and waste, 25^{1/2} months.

Count 9: violation of 42 U.S.C. section 1983;

(Inadequate Medical Care)

Eighth, 8th and Fourteenth 14th

123. Plaintiff # 1(Imhotep), was injured 12/8/2022. The nurse on site laughed at

Plaintiff # 1(Imhotep), Injuries. Prime care medical staff inadequately did the following: (Ignored obvious conditions of plaintiff injured). (Delayed treatment) (Failing to investigate enough to make an informed Judgment).

124. (12/23/2022, when plaintiff # 1(Imhotep) fell sick from drinking the water

medical denied plaintiff # 1(Imhotep), and ignored me for days).

(Medical denied plaintiff # 1(Imhotep), pain meds Jan/9/2023, 10:30 am).

125. The nurse on site told me, "The prison has nothing for plaintiff#1

(Imhotep), have a nice day. Another time 2/15/2023. Plaintiff # 1(Imhotep)

126. informed the nurse on site that plaintiff # 1(Imhotep), was experiencing

increased headaches, pain and dizziness the nurse came at 1:20 pm and said they

will call me down plaintiff # 1(Imhotep), and never did.

127. In fact, plaintiff # 1(Imhotep), was not seen for weeks and 3 days from the initial time plaintiff # 1(Imhotep), request to see medical, which was around the end of January.

128. 3/13/2023, at 1:25 pm medical walked pass plaintiff # 1(Imhotep), Cell again saying, "Medical has nothing for you." On the date of 3/15/2023, At 12:43 pm plaintiff # 1(Imhotep), cell was not open for pill call. Medical Staff did pill call extremely late. This is frequent and sometimes does not come at all.

129. Plaintiff # 1(Imhotep) was diagnosis with kidney damage from prime care medical staff 4/10/2024. This was second opinioned by Harrisburg hospital Oct 28th, 2024, at 4:50 pm

130. Plaintiff # 1(Imhotep), is and was entitled to reasonably adequate medical Care the moment he got hurt. (**Nicholson v. Choctaw County, 498 F.**

Supp.295), (Estelle v Gamble, 429 U.S. 97). Defendants' #: Lionel Pierre, Major Roger Lucas, Latonya S. Ray, Bruce Levalley, Dr. Carl Hoffman, Tykeisha Metz, allows the medical staff to perform inadequately.

131. Delay treatment, ignore obvious conditions, and fail to properly investigate Enough to make an informed Judgment, "intentionally, willfully, maliciously, recklessly, and intentional acts of subjecting **plaintiff # 1(Imhotep)**, to a very unclean environment and continue to omit to this act with callous disregard and deliberate indifferences to **the Fifth(5th) *Eighth (8th) and Fourteenth (14th) amendment of plaintiff # 1(Imhotep)**, and as a direct and proximate result of the acts and omissions of the Defendants, the **plaintiff # 1(Imhotep)**, rights have been violated.

132. **Plaintiff # 1(Imhotep) rights under Eighth (8th) and Fourteenth (14th) amendment of th United states constitution** are violated and deprived plaintiff # 1(Imhotep), of basic human necessity this practice, policy, and

custom which cause plaintiff # 1(Imhotep), suffering and continues to suffer great pain, including emotional, mental, and physical lose 25^{1/2} months.

Count 10: violation of 42 U.S.C. section 1983;

(Deliberate Indifference)

Eighth, 8th and Fourteenth 14th

- Deliberate indifference is when someone intentionally disregards a substantial risk of harm to another person. It can also refer to a lack of concern or interest in something important.
- In criminal law, deliberate indifference means someone is aware of circumstances that would indicate a crime but chooses to ignore it. In the prison system, deliberate indifference can refer to when prison staff ignore a prisoner's safety or medical needs.
- Examples of deliberate indifference include:
- Ignoring a prisoner's obvious poor health

- Failing to investigate a prisoner's health claims
- Delaying or refusing to treat a prisoner's medical condition
- Making a medical decision based on non-medical factors Intentionally failing to follow a doctor's orders
- Deliberate indifference is a higher standard than negligence. It requires that the person knows of and disregards an excessive risk of harm.

133. **All defendants** with the entire Captain and Lieutenant, correctional officers, admin staff, all staff members, are very aware of the conditions at "Dauphin County Prison". Dauphin County Prison has been on the local News Multiple times. There have been multiple visits from prison society. Multiple protest outside the prison, with hundreds, possibly thousands of complaints, multiple fines, and the staff refuses to fix the problem.

134. The officials, intentionally, willfully, maliciously, recklessly, callously, omission and complete and complete disregard for plaintiff # 1(Imhotep), health and constitutional rights. The staff does nothing to change, make the better, or fix any of these problems at **(DCP)**. Plaintiff # 1(Imhotep) has been

exposed to the conditions at (**DCP**), since arriving at the prison. Plaintiff # **1(Imhotep)** has been deprived of rights, liberty, and everything else mentioned in this complaint. Plaintiff # **1(Imhotep)**, has been deprived of multiple basic human necessities by these practices, polices and customs, which cause suffering and continues to suffer great pain, including emotional, mental, and physical loss 25^{1/2} months.

Count 11: violation of 42 U.S.C. section 1983;

(Exposure to Second-Hand Smoke)

Fifth 5th, Eighth, 8th and Fourteenth 14th

135. Incarcerated people have the right to be free from exposure to environmental tobacco smoke. The prison officials are highly aware of the smoking and drugs in Dauphin County Prison.

136. The prison officials do not seem to be capable of controlling this problem.

Not only cigarette smoke is in the air. Inmates smoke K2, and C₂₂H₂₈N₂O called "Fentanyl".

137. The blocks are extremely smokey daily, and most the guards including

lieutenants and Captains will overlook this issue. This problem appeared on news outlet "ABC", along with stories of drug trafficking in the prison.

138. Plaintiff# 1, (Imhotep) is expose to second-hand smoking since first arriving

in the prison, 25^{1/2} months. The fact that plaintiff # 1(Imhotep) Is exposed to Second-Hand smoking daily puts plaintiff # 1(Imhotep), health in the future at serious risk and damage.

139. Plaintiff # 1(Imhotep) is in danger of developing lung cancer, heart disease,

decreased lung capacity, and cerebrovascular disease. Also risk of emphysema and heart attacks for being exposed to the smoke. The dauphin County prison board is also aware of this issue here at the prison.

140. Depending on the guard that is working, some inmates would smoke openly due to the fact of the guard allowing the activity. Nighttime is a time when smoking may be at its highest levels. Imhotep requested to stay in his housing area due to the fact the smoke is just as bad or even worse in other parts of the prison to which is why one of the correctional officers who go by the name Sharda Davis, passed out from the excessive smoke that came from both C and D block. She passed out, fell and hit her head and had a seizure.

141. **All Defendants**, including the entire captain and lieutenant division and all correctional officers and all other staff allow this activity, practice, policy, or custom, which the prison is to be smoke free. Many of the staff brings in the tobacco products or drugs for the inmates.

142. **All Defendants**, including the entire captain and lieutenant division and all correctional officers and all other staff allow this activity, practice, policy, or custom, which the prison is to be smoke free. Many of the staff brings in the tobacco products or drugs for the inmate.

143. **All Defendants** intentionally, willfully, maliciously, recklessly, and intentional acts of subjecting **plaintiff # 1 (Imhotep)**, continue to omit to this act with callous disregard and deliberate indifference to the **Fifth(5th) *Eighth (8th) and Fourteenth (14th) amendment of plaintiff # 1(Imhotep)**, and as a direct and proximate result of the acts and omissions of the Defendants, the **plaintiff # 1 (Imhotep)**, rights have been violated.

144. Plaintiff # 1(Imhotep), right under the **Fifth(5th) *Eighth (8th) and Fourteenth (14th) amendment of the United States Constitution** have been violated and deprived **Plaintiff # 1(Imhotep)**, of basic human necessity and right to be free from second hand smoking. By this practice policy, and custom which cause **Plaintiff # 1 (Imhotep)**, to suffer and continues to suffer great pain, including emotional, mental, and physical loss for 25^{1/2} months.

Count 12: violation of 42 U.S.C. section 1983;

(Discrimination Against Religion Practices)

First and Fourteenth 14th

145. Dcp Highly discriminates against the Christian and Islamic faith. The prison removed all hard covered bibles and Korans from the prison. The prison placed these materials on the tablet, however the issue with this is the tablet gives you a limit to how much you could read a day and if your tablet breaks or you lose your tablet, you will be unable to fully commit to your religious practice.

146. **Defendants Lionel Pierre, Major Roger Lucas, Latonya S. Ray, Bruce Levalley, Alfred Sloan,** does not allow proper Christian services or Jumu'ah. The services that are provided for the Christians allows two ministers to come into the prison and go cell to cell speaking to inmates.

147. The prison impedes this small service by excessively locking the prison down and not allowing the visitors to enter. The inmates would go weeks or months without service due to this practice of excessive lockdowns. As far as the Muslims inmates, they are not afforded any services at all besides Ramadan, which is once a year.

148. Sloan is the dauphin pastor. He blatantly teaches his own beliefs, a doctrine of demons and false beliefs and tells inmates everything they believe is wrong and have been wrong their entire lives. Sloan also made many disrespectful comments about highly respected religious figures and both practices regarding Jesus and Muhammad. He also plays a big role in not allowing the Ministers to come in and teach due to the fact of their teachings contradict his own teachings. Sloan rather or feels more comfortable spreading

149. Plaintiff # 1 (**Imhotep**) has an origin of being born to and raised in the Nation of Islam belief. As **Imhotep** grew, he started to study, Practice, and follow the teachings of Christ. However, Imhotep Fellows Christ but still study both the Bible and the koran or Qu’ran. The prison greatly avoids these

teachings and discarded all physical books for these two practices and verbally allows and teaches false doctrines.

150. These Inmates who have these beliefs are treated differently, ignored, and the inmates are aware of these things. **Defendants Lionel Pierre, Major Roger Lucas, Latonya S. Ray, Bruce Levalley, Alfred Sloan**, intentionally, willfully, maliciously, recklessly, and intentional acts of subjecting **plaintiff # 1 (Imhotep)**, continue to omit to this act with callous disregard and deliberate indifferences to the **First (1st) and Fourteenth (14th) amendment of the United States Constitution** of plaintiff # 1 (**Imhotep**), and as a direct and proximate result of the acts and omissions of the Defendants, the **plaintiff # 1 (Imhotep)**, rights have been violated.

151. **Plaintiff # 1 (Imhotep)**, right under **First (1st) and Fourteenth (14th) amendment of the United States Constitution** have been violated and deprived **Plaintiff # 1 (Imhotep)**, of having the right to practice and the freedom of religion and right to be free from being free from religious discrimination. This practice policy and custom caused **Plaintiff # 1 (Imhotep)**, to suffer and continues to suffer great pain, including emotional, mental,

spiritual and physical loss for 25^{1/2} months, especially since Imhotep is a stronger believer with faith.

VIII: Damages and Relief

Plaintiffs incorporate by reference paragraphs (1) through (151) of this complaint, as if fully set forth here.

152. As a result of all acts, conduct and omissions committed under the color of state law in the form of customs, policies, and practice, failure to change the prison conditions and showing callous omission disregard deliberate indifference and Intentional Acts, Maliciously, Intentionally and willfully committed against Imhotep and the other Plaintiffs physical and have suffered harms, including but not limited to humiliation, pain, physical injuries, economic loss, loss of liberty, pain and suffering, excessive anxiety, PTSD, memory loss, sever vertigo permanently, depression, mental stress, mood

swings, paranoia, trouble sleeping, mental deterioration, decrease cognitive function, nightmares, mental deterioration, decrease cognitive function, nightmares, mental and physical fatigue, mental anguish, emotional and physical anguish, and violations of his rights under the constitution. Imhotep Muhammad and all other Plaintiff's similarly situated.

153. On all counts and claims for relief, lead Plaintiff Imhotep Muhammad, demands judgment in his favor and the favor of all other plaintiffs on this complaint, declaratory relief in the form of a declaration that the actions and conduct of all the defendants was in violation of **42 U.S.C. section 1983**, as well as **the first, fifth, Eighth and Fourteenth Amendments to the United States Constitution**, and also all other Plaintiffs on this complaint for the lengthy exposure to the Unconstitutional Conditions at Dauphin County Prison (DCP).

154. On all Counts and claims for relief, Lead Plaintiff Imhotep Demands Judgment in his favor and the favor of all other Plaintiffs on the complaint award damages, Jointly and severally, in amount of \$ 1,000,000.00 in U.S.

currency eight hundred and fifty thousand dollars and amount not less than \$ 900,000.00, nine hundred thousand dollars in U.S. currency, for Lead Plaintiff, Imhotep Muhammad.

155. Plaintiff # 2; In an amount of \$ 500,000.00 not less than \$400,000.00, Joseph Payne-Casiano.
156. Plaintiff # 3; in an amount of \$450,000.00 not less than \$350,000.00, for Devonte Betts.
157. Plaintiff # 4; in amount of \$500,000.00 not less than \$400,000.00, for Bryan Mitchell.
158. Plaintiff # 5; in amount of \$450,000.00 not less than \$350,000.00, for Jerry Foster.
159. Plaintiff # 6; in amount of \$500,000.00 not less than \$400,000.00, for Charles Rankin.
160. Plaintiff # 7; in amount of \$450,000.00 not less than \$350,000.00, for Raheem Green.
161. Plaintiff # 8; in amount of \$450,000.00 not less than \$350,000.00, for Jeremy Cox.

162. Plaintiff # 9; in amount of \$350,000.00 not less than \$250,000.00, for Joseph Williams.
163. Plaintiff # 10; in amount of \$600,000.00 not less than \$500,000.00, for Harmony Nyree Muhammad
164. Plaintiff # 11; in amount of \$850,000.00 not less than \$750,000.00, for Taji Abdullah Muhammad
165. Plaintiff # 12: In amount of \$450,000.00 not less than \$350,000.00, for Melvin Thomas
166. Plaintiff # 13: In amount of \$450,000.00 not less than \$350,000.00, for David Chase
167. Requesting all together a sum of \$7,000,000.00, Seven Million, not less than \$5,700,000.00 five million seven hundred thousand U.S. Currency, compensation, in the form of Updated U.S. currency or country currency, Gold, Silver, Bitcoin, and or any precious Metals or Stones that Holds the Value of the amount requested. (Preferably U.S.D currency)

168. On all counts and claims for relief, Lead Plaintiff Imhotep Muhammad and all Other Plaintiffs on this complaint demands Judgment in their favor to award Punitive damages, against each defendant according to the findings of the Jury, due to the Malicious, Willful, Oppressive, Heinous, sinister, Vile, Outrageous, and deliberate Indifference, Unjustifiable actions and conduct of all defendants.

169. On all counts and claims for relief, Lead Plaintiff Imhotep and all other Plaintiff's on this complaint, demands Judgment in their favor and reasonable attorney's fees and interest Pursuant to; **28 U.S.C. section 1920, 28U.S.C. section 1961; and 42 USC section 1988 et seq,** and **42 U.S.C. section 1981**, and to be free from any and all gag orders Pursuant to; The First Amendment.

170. On all counts and claims for relief, Lead Plaintiff Imhotep and all other Plaintiff's on this complaint, demands Judgment in their favor and expenses and cost of Litigation and Interest Pursuant to; **28 U.S.C section 1988 et seq, and 42 U.S.C. section 1981.**

171. On all counts and claims for relief, Lead Plaintiff Imhotep and all other Plaintiff's on this complaint, demands Judgment in their favor any other relief, the court may deem appropriate and just, and otherwise in the interest of justice.

IX: Demand For Jury Trial

101. On all facts and claims asserted, Plaintiff's Demands a trial by Jury.

102. On all counts except for count 9; inadequate medical care Which only applies to lead Plaintiff, all other counts and claims, all Plaintiff's on this complaint agreed on experiencing the same conditions and all agree on each claim on being Violated and deprived of liberty and constitutional rights similarly situated

1. Imhotep Muhammad
2. Joseph Payne- Casiano

3. Devonte Betts
4. Bryan Mitchell
5. Jerry Foster
6. Charles Rankin
7. Raheem Rankin
8. Jeremy Cox
9. Joseph Willams
10. Harmony Nyree Muhammad
11. Taji Abdullah
12. Melvin Thomas
13. David Chase

Declaration: I declare under penalty that the above information is true and understand that false statements may result in the dismissal of my claims.

Imhotep Muhammad

Respectfully submitted: Imhotep Muhammad

Date:

Email: Imhotep756@gmail.com

Phone No. 717-562-6375

FILED
HARRISBURG, PA

1

DEC 02 2024

LEAD PLAINTIFF COVER LETTER

PER _____

[Red Signature]
DEPUTY CLERK

1. Hello, my name is "Imhotep Muhammad". I am writing this letter regarding some things in this lawsuit I would like to make the court aware of.
2. The prison caught wind of this lawsuit and may or may not have tried to organize things to cover up these allegations. However, the inmates are the witnesses along with the video footage.
3. There may be several typos I do want to apologize in advance for any in convinces.
4. I am of course Pro-se, but if the court recommends an attorney to attach to my case I am not opposed to this option or opinion of the court if the court could provide (one) and someone who would not sabotage the docket.
5. I would like to subpoena evidence to support my claims in the form of the following;

- I would like the court to order all evidence the prison has regarding drugs, and evidence of all illegal contraband that was found inside the prison from being bought in by staff or other inmates with names;
 - Contraband such as the things inmates smoked, records, and reports, pictures, videos, logs.
 - I would like to allow my investigator to enter the prison during a very random time with an order by the court to be allowed to walk around the prison and take prisons and possibly interview inmates for evidence for trial and other material Possibly with the FBI as well.
 - The video of me falling on Dec/8/2022, around 4:45am from an anxiety attack.
6. This evidence is very important to these proceedings to prove the claims I am bringing to the court. I respectfully request this court to grant the opportunity to allow this information to be subpoenaed and for the investigator to enter the prison via order, to gather information to bring to the court.
7. I will file motions if needed to add or remove information generally amending the complaint of course if approved by the court.

8. I also would like to subpoena witnesses on my behalf who heard or witnessed the illegal injustice.

9. I have all the grievance forms complete and I am also free which therefore satisfies (PLRA)

10. They may try to use a video of a captain speaking to me asking me if I am alright. That video was recorded because someone made a false call saying I had a Prea issue. I was fine for the moment but that doesn't mean I was fine the entire time when it came to certain things plus, I was not going to tell them what was really on my mind on camera. It really doesn't prove anything but if this video appears they may try and make it out to be more than what it is.

if anyone has any questions.

Respectfully submitted: Imhotep Muhammad

Date:

Email: Imhotep756@gmail.com

Phone No. 717-562-6375

JS 44 (Rev. 04/21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p>I. (a) PLAINTIFFS <i>Imhotep Muhammad</i></p> <p>(b) County of Residence of First Listed Plaintiff _____ <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number)</p>		<p>DEFENDANTS <i>Lionel Pierre</i></p> <p>County of Residence of First Listed Defendant _____ <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (if Known)</p>																										
<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i></p> <p><input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i></p>		<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table border="0"> <tr> <td>Citizen of This State</td> <td><input checked="" type="checkbox"/> PTF</td> <td><input type="checkbox"/> DEF</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> PTF</td> <td><input checked="" type="checkbox"/> DEF</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		Citizen of This State	<input checked="" type="checkbox"/> PTF	<input type="checkbox"/> DEF	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> PTF	<input checked="" type="checkbox"/> DEF	Citizen of Another State	<input type="checkbox"/> 1	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6							
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																							
<p>IV. NATURE OF SUIT (Place an "X" in One Box Only)</p> <table border="1"> <thead> <tr> <th>CONTRACT</th> <th>TORTS</th> <th>FORFEITURE/PENALTY</th> <th>BANKRUPTCY</th> <th>OTHER STATUTES</th> </tr> </thead> <tbody> <tr> <td> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise </td> <td> PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slender <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - 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Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education </td> <td> PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement </td> <td> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act </td> <td> SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395F) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) </td> <td> <input type="checkbox"/> 423 Withdrawal 28 USC 157 FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 </td> </tr> <tr> <td></td> <td></td> <td></td> <td> IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions </td> <td></td> <td></td> </tr> </tbody> </table>						CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slender <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act	REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - 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<p>V. ORIGIN (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from Another District (specify) <input type="checkbox"/> 6 Multidistrict Litigation - Transfer <input type="checkbox"/> 8 Multidistrict Litigation - Direct File</p>																												
<p>Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):</p> <p>VI. CAUSE OF ACTION <i>Illegal prison conditions, practices, policies, & custom</i> Brief description of cause:</p>																												
<p>VII. REQUESTED IN COMPLAINT: <input checked="" type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.C.V.P.</p>		<p>DEMANDS <i>7,000,000.00</i></p>		<p>CHECK YES only if demanded in complaint: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>																								
<p>VIII. RELATED CASE(S) IF ANY <i>(See instructions):</i></p>		<p>JUDGE _____</p>		<p>DOCKET NUMBER _____</p>																								
<p>DATE _____ SIGNATURE OF ATTORNEY OF RECORD</p>																												
<p>FOR OFFICE USE ONLY</p>																												
<p>RECEIPT # _____</p>		<p>AMOUNT _____</p>		<p>APPLYING IFFP _____</p>																								
				<p>JUDGE _____ MAG. JUDGE _____</p>																								